Emergency regulations

An emergency regulation:

- --may be effective for up to one year;
- --may become effective upon approval by the Governor and filing with the Registrar of Regulations;
- --may be promulgated if there is an "emergency situation" (1) involving an imminent threat to public health or safety or (2) in which Virginia statutory law or the appropriation act or federal law or federal regulation requires that a regulation be effective in 280 days or less from its enactment, and the regulation is not exempt; and
- --is usually replaced with a permanent regulation; therefore, a Notice of Intended Regulatory Action (NOIRA) to promulgate the permanent replacement regulation is often filed at the same time as the emergency regulation.

Source: Section 2.2-4011 of the Code of Virginia



For more information on regulations in Virginia, visit the award-winning Virginia Regulatory Town Hall

townhall.virginia.gov

Regulatory process:

Agency/board approves emergency regulation and submits it for executive branch review Executive branch review: Office of the Attorney General Department of Planning and Budget Cabinet Secretary Governor Agency sends emergency regulation to The Virginia Register of Regulations via the Town Hall and it becomes effective on the date of filing (unless otherwise indicated by the agency) 1) Email notification is sent to registered Town Hall users and (2) the public may view the emergency regulation and supporting documents on the Town Hall 14 days after Town Hall notice, the emergency regulation is published in the Register (register.state.va.us/issfiles.htm) If NOIRA for permanent replacement regulation was also filed.

then 30-day public comment begins

